

# Michigan and the Interstate Library Compact

Late Monday November 20, 2017, Governor Snyder signed [SB 278](#), the “Interstate Library Compact.” An “interstate Compact” is a sort of boilerplate agreement that is designed to be used by multiple states to address particular issues or situations that frequently arise between states and state entities. In the case of the “Interstate Library Compact,” the agreement facilitates contracting between public libraries across state boundaries.

The approval of this law adds Michigan to the approximately 32 states that have already adopted the Library compact.

## HOW DOES THIS LAW AFFECT LIBRARIES IN MICHIGAN?

The Interstate Library Compact:

- Expressly authorizes States, municipalities, libraries, and other “political subdivisions” of Michigan and states bordering Michigan to contract for library services with each other across state borders.
- Requires that Michigan public libraries wishing to enter into cross-border contracts with border states execute such contracts in compliance with the requirements of the compact.
- Mandates language and clauses that must be included in a contract created under the compact between a Michigan Public Library and any other library located in a state that borders Michigan.
- Establishes an “Administrator” to review and keep copies of all interstate library contracts created under the compact.
- Provides that CURRENT CONTRACTS between Michigan public libraries and states bordering Michigan are not affected by the compact.

## DO I OR MY LIBRARY NEED TO DO ANYTHING?

If you are planning to contract for library services with a library or municipal entity, etc., in Indiana, Wisconsin, Ohio, or Illinois, you will have to be sure your contract conforms with the compact requirements in Article III of the compact.

If you ALREADY HAVE a contract with a bordering state, you do not need to do anything. However, if the existing contract is renewed or amended in the future, it may need to be brought into compliance with the compact.

If you have no contracts or plans for cross border contracts, you do not need to do anything.

## **WHY NOW? MICHIGAN HAS NEVER BEEN A MEMBER.**

Generally, Libraries in Michigan wishing to work or contract with libraries in other states (including border states) have relied on the Urban Cooperation Act 7, [MCL 124.501, et. seq.](#)) to execute contacts and agreements for service, etc.

The Urban Cooperation Act permits government and municipal entities in Michigan to contract at will with municipal and government entities in any other state. The Urban Cooperation Act does not specify any language or content for agreements, and is not specific to libraries. This has generally worked well for Michigan Libraries.

However, over the years, as other states have joined the Interstate Library Compact, certain states have passed additional state laws that require participation in the compact as a prerequisite for the sharing of services or the creation of agreements. Therefore, since Michigan was not a member, it became difficult for libraries in Michigan to share services or contract with libraries in those states.

Membership in the compact itself does not impair the ability of a Michigan library to contract with other states as it always could. The compact merely imposes certain contract language requirements and requires contracting libraries to submit contracts to the “Administrator” (who will be the State Librarian, Randy Riley). Therefore, Libraries entering into a cross-border agreement would simply send their agreements to the Library of Michigan- (just as they do for District Library Agreements). We will then review the contract to ensure compliance with the compact and file a copy in the library’s file.

The compact does not require libraries to contract, nor does it prevent Michigan libraries from contracting with border states which are NOT members of the compact.

For additional information on this law, please see the Legislative analyses at

<http://legislature.mi.gov/doc.aspx?2017-SB-0278>

As always, please do not hesitate to contact myself or anyone else here at Library of Michigan Statewide Library Services if you have any questions, or if we can be of any service! [membielac@michigan.gov](mailto:membielac@michigan.gov)